

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.:

DATE : 6/1/09

TO SPE OF : ART UNIT 1638

SUBJECT : Request for Certificate of Correction on Patent No.: 6,664,446
09/533,029

A response is requested with respect to the accompanying request for a certificate of correction.

Please complete this form and return with file, within 7 days to:

Certificates of Correction Branch - ST (South Tower) 9A22

Palm location 7590 - Tel. No. (703) 305-8309

With respect to the change(s) requested, correcting Office and/or Applicant's errors, should the patent read as shown in the certificate of correction? No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Thank You For Your Assistance

Eva James
Certificates of Correction Branch

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriated box.

☒ **Approved**

All changes apply.

☐ **Approved in Part**Specify below which changes **do not** apply.☐ **Denied**

State the reasons for denial below.

Comments: Correction of inventorship approved


ANNE MARIE GRUNBERG

SUPERVISORY PATENT EXAMINER

09/533,029

Request to correct inventorship approved

Please forward to Eva James at COC Branch

PALM Code 7580

her phone number is 703 756-1583

DAVID H. KRUSE, PH.D.
PRIMARY EXAMINER

*The only use I've found for
my stamp.*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. MBI-0010)
Customer No. 23678)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Certificate of Correction Branch.

**REQUEST FOR CORRECTION OF INVENTORSHIP
PURSUANT TO 35 U.S.C. 256 and 37 C.F.R. § 1.324(a)**

Dear Sir:

The presently named assignees, Mendel Biotechnology, Inc. hereby petition the Commissioner to delete Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang from the inventors of the above-identified patent, and correct the name of "Lynne Reuber" to "T. Lynne Reuber". Enclosed are the following:

1. A statement from the current named inventors agreeing to the change of inventorship;
2. A statement from the sole assignee agreeing to the change of inventorship in the patent;
3. The fee set forth in 37 C.F.R. § 1.20(b) of \$130.00 is being submitted electronically with this request.

Patentees of the referenced patent request that the inventorship in the above-identified application be amended by deleting "Pierre Broun", "James Keddie", "Raymond Samaha", "James Zhang", "Guo-Liang Yu", "Marsha Pilgrim" and "Cai-Zhong Jiang" from the above-identified application and correct the name of "Lynne Reuber" to "T. Lynne Reuber".

"Pierre Broun", "James Keddie", "Raymond Samaha", "James Zhang", "Guo-Liang Yu", "Marsha Pilgrim" and "Cai-Zhong Jiang" were named in the issued patent as inventors through error and this error

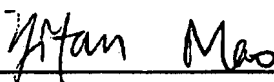
arose without any deceptive intent. The name of "Lynn Reuber" was entered through error, and should be "T. Lynn Reuber"; this error occurred without deceptive intent. Thus, Patentees respectfully request to correct these errors by deleting "Pierre Broun", "James Keddie", "Raymond Samaha", "James Zhang", "Guo-Liang Yu", "Marsha Pilgrim" and "Cai-Zhong Jiang", and change the name of "Lynn Reuber" to "T. Lynn Reuber" so that the inventive entity of "T. Lynne Reuber", "Oliver Ratcliffe", "Jacqueline Heard", "Jose Luis Riechmann", "Omaira Pineda" and "Luc Adam" will remain as the correct inventive entity of the present patent. This request is supported by a statement of the current named inventors as required by 37 C.F.R. § 1.324(b)(2), and a statement from the sole assignee: Mendel Biotechnology Inc., as required by 37 C.F.R. § 1.324(b)(3), agreeing to the change of inventorship.

The Patent and Trademark Office is respectfully requested to correct the inventorship and to enter the enclosed statements of T. Lynne Reuber, Oliver Ratcliffe, Jacqueline Heard, Jose Luis Riechmann, Omaira Pineda Luc Adam, Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

Applicants believe that the current amendment has complied with requirements under 37 CFR § 1.324(a) and respectfully request correction of the inventorship in the present patent.

Respectfully submitted,
MENDEL BIOTECHNOLOGY, INC.

Date: May 29, 2009



Yifan Mao

Patent Agent

Reg. No. 60,804

3935 Point Eden Way
Hayward, California 94545
Phone: (510) 259-6149
Fax: (510) 264-0254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. MBI-0010)
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Mail Stop Petitions
Commissioner for Patents
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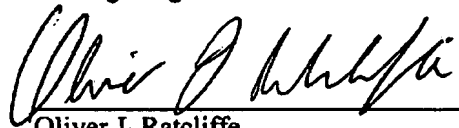
**STATEMENT BY ASSIGNEE FOR CHANGE OF INVENTORSHIP PURSUANT TO
37 C.F.R. § 1.324(b)(3).**

Dear Sir:

Mendel Biotechnology, Inc., a company duly organized under and pursuant to the laws of California and having its principal place of business 3935 Point Eden Way, Hayward, California 94545, is the assignee of the entire right, title and interest in the patent application identified above, as indicated on the Assignment dated 03/22/2000, Reel/Frame No. 010796 / 0531.

Mendel Biotechnology, Inc. hereby consents to correct the inventorship of the above-identified patent by deleting Pierre Broun, James Keddle, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

MAY 29, 2009
Date



Oliver J. Ratcliffe
Vice President, Research
Mendel Biotechnology, Inc.

Mendel Biotechnology, Inc.
3935 Point Eden Way
Hayward, California 94545-3720
Phone: 510.264.6146
Fax: 510.264.0254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. MBI-0010)
Customer No. 23678)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT BY GUO-LIANG YU IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

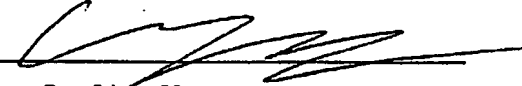
Dear Sir:

I, Guo-Liang Yu, declare as follows

- 1) I reside at 242 Gravatt Drive, Berkeley, California 94705, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddle, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: Apr. 17, 2008

Name: 
Guo-Liang Yu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
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Docket No. MBI-0010)
Customer No. 23678)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT BY JACQUELINE HEARD IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

I, Jacqueline Heard, declare as follows:

1) I reside at 542 Sunnyside Avenue, Webster Groves, MO. 63119;

2) I am an inventor of the above-referenced US patent;

3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: April 6, 2009

Name: Jacqueline Heard

Jacqueline Heard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. MBI-0010)
Customer No. 23678)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT BY CAI-ZHONG JIANG IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

I, Cai-Zhong Jiang, declare as follows

- 1) I reside at 2340 Caravaggio Drive, Davis, California 95618, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddle, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 4/28/09 _____ Name: _____

Cai-Zhong Jiang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. MBI-0010)
Customer No. 23678)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT BY T. LYNNE REUBER IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

I, T. Lynne Reuber, declare as follows:

- 1) I reside at 1115 South Grant Street, San Mateo, California 94402;
- 2) I am an inventor of the above-referenced US patent;
- 3) My name was entered as "Lynne Reuber" through error in the above-referenced patent, and should be "T. Lynne Reuber". This error arose without deceptive intent;
- 4) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5/29/09 Name: T. Lynne Reuber
T. Lynne Reuber

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
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Customer No. 23678)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT BY LUC ADAM IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

I, Luc Adam, declare as follows:

- 1) I reside at 2315 Depot Road, Hayward, California 94545;
- 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddle, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 03/20/07 Name: 

Luc Adam

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
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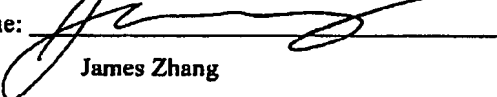
STATEMENT BY JAMES ZHANG IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

I, James Zhang, declare as follows

- 1) I reside at 951 Amarillo Ave., Palo Alto, California 94303, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 4/1/2009 Name: 
James Zhang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
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Issued: 12-16-2003)
Art Unit: 1638)
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Docket No. MBI-0010)
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Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


**STATEMENT BY OLIVER RATCLIFFE IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

I, Oliver Ratcliffe, declare as follows:

- 1) I reside at 814 East 21st Street, Oakland, California 94606;
- 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: March 20, '09 Name: 
Oliver Ratcliffe

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. MBI-0010)
Customer No. 23678)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT BY JOSE LUIS RIECHMANN IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

I, Jose Luis Riechmann, declare as follows:

- 1) I reside at Sant Marti de L'erm 37, 4o, 1a, Sant Joan Despi, Barcelona, Spain 08970;
- 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddle, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: March 23, 2009

Name: _____

Jose Luis Riechmann

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
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Docket No. MBI-0010)
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Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT BY JAMES KEDDIE IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

I, James Keddle, declare as follows

- 1) I reside at 20 14th Ave., San Mateo, CA 94402, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddle, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 6/1/07

Name: 

James Keddle

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. MBI-0010)
Customer No. 23678)

Mail Stop Petitions
Commissioner for Patents
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Alexandria, VA 22313-1450

**STATEMENT BY OMAIRA PINEDA IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

I, Omaira Pineda, declare as follows:

- 1) I reside at The Laurels, 4060 9th Place, Vero Beach, Florida 32960;
- 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 3/29/09 Name: 
Omaira Pineda

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
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Customer No. 23678)

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Alexandria, VA 22313-1450

**STATEMENT BY MARSHA PILGRIM IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

I, Marsha Pilgrim, declare as follows

- 1) I reside at 1368 Patrick Henry Drive, Phoenixville, Pennsylvania 19460, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5/8/09 Name: Marsha Pilgrim
Marsha Pilgrim

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
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Alexandria, VA 22313-1450

STATEMENT BY PIERRE BROUN IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

I, Pierre Broun, declare as follows

- 1) I reside at 28 rue des amandiers 37540 Saint-Cyr sur Loire, France;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5-13-2009 Name: 
Pierre Broun

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,664,446)
In re patent of: HEARD, Jacqueline *et al.*)
Issued: 12-16-2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
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Alexandria, VA 22313-1450

**STATEMENT BY RAYMOND SAMAHA IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

I, Raymond Samaha, declare as follows

- 1) I reside at Los Robles Rd., Soquel, California 95073, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5/19/09

Name: _____


Raymond Samaha